



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

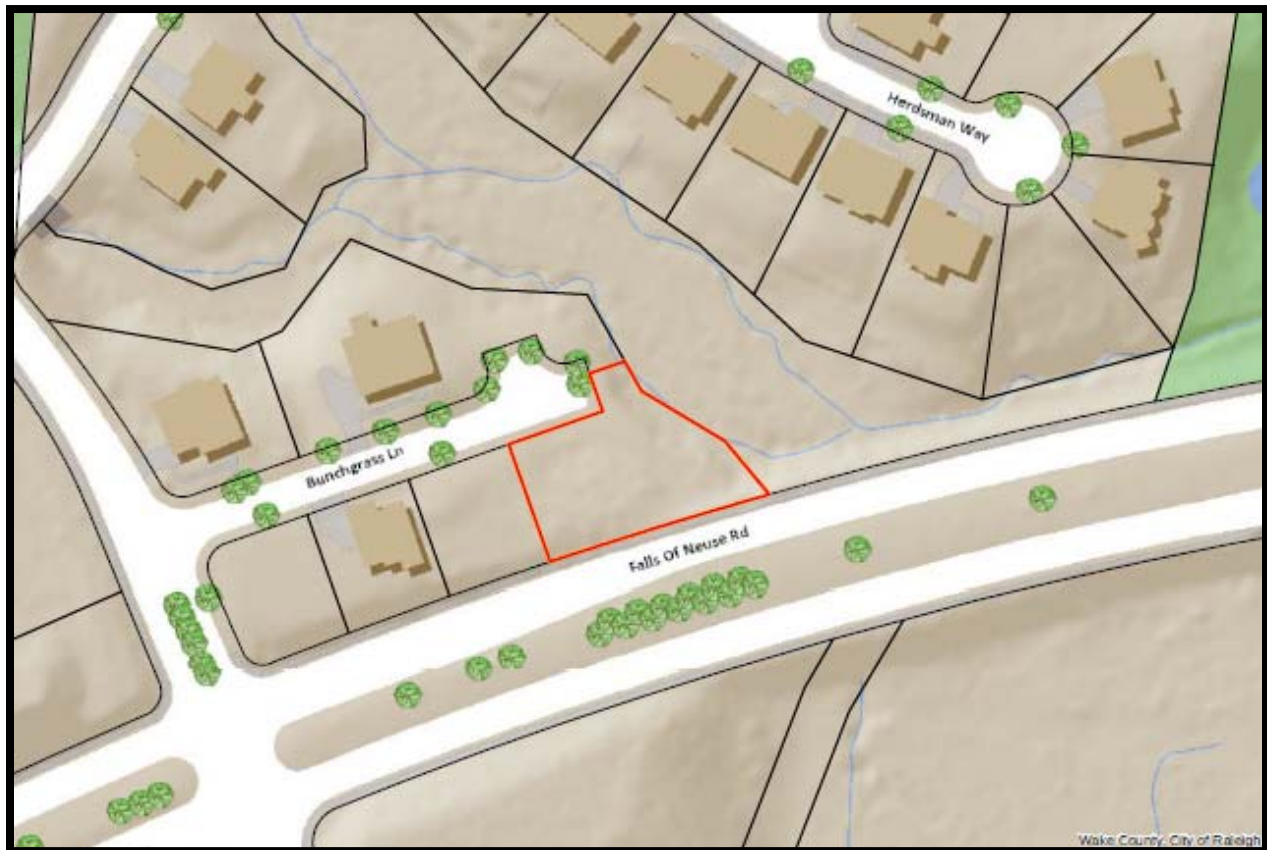
Case File: A-91-15

Property Address: 12312 Bunchgrass Lane

Property Owner: Fuller-PS

Project Contact: Jackie Elek

Nature of Case: A request for a variance from all of the wooded area requirements set forth in Section 9.1.9.A. of the Unified Development Ordinance to allow for the construction of a detached house on a .39 acre property zoned Residential-6 Conditional Use and Urban Watershed Protection Overlay District.

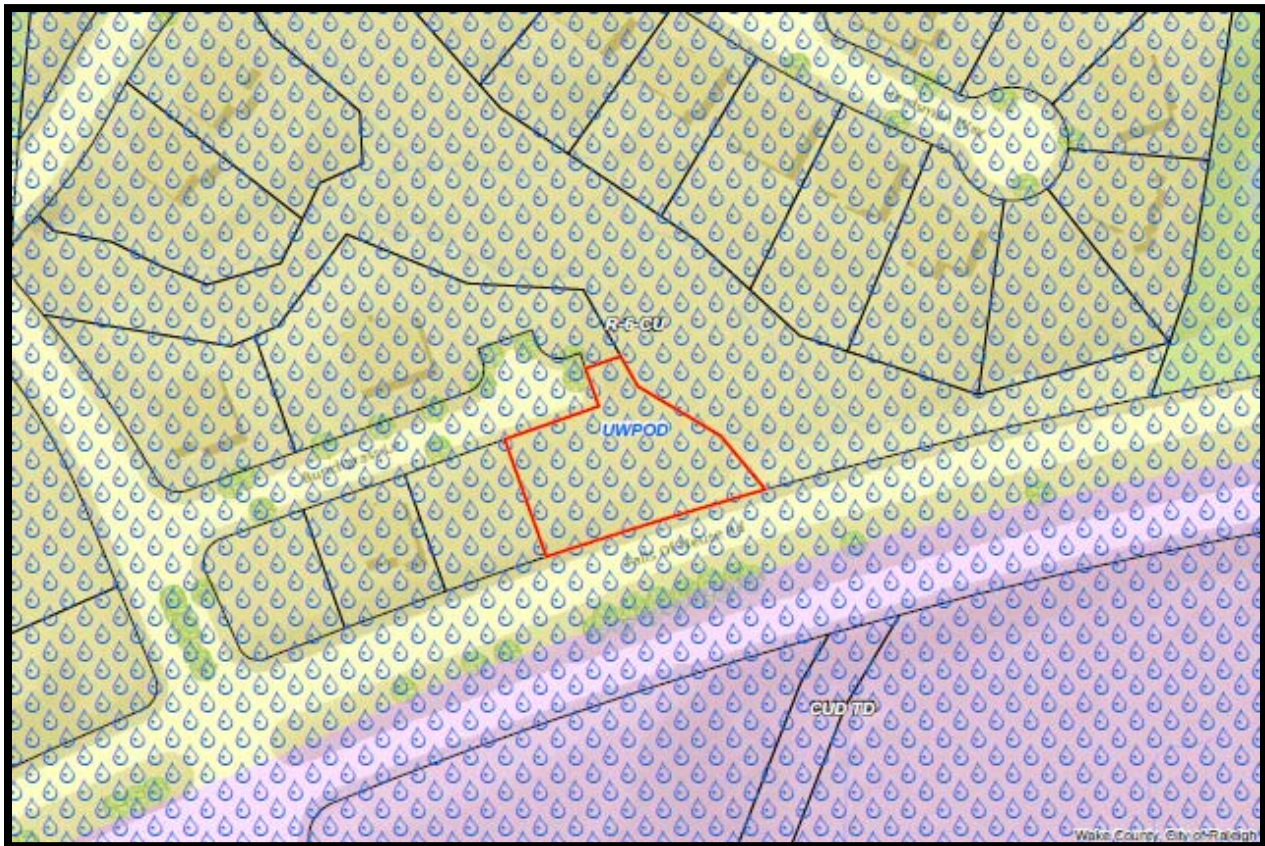


12312 Bunchgrass Lane – Location Map

To BOA: 11-9-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-6 Conditional Use and Urban Watershed Protection Overlay District



12312 Bunchgrass Lane – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

To Legalize the Existing Structure:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. **The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.**
3. **The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.**
4. **The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.**

Sec. 9.1.9 Watershed Protection Overlay Districts

A. Except as otherwise provided below, every lot located within a -UWPOD, -FWPOD or -SWPOD must provide and maintain an area set aside for trees equal to at least 40% of the lot area. Within this area, trees must either be preserved or planted in accordance with the following:

1. Tree areas may be 1 contiguous area or scattered areas throughout the lot, but no required tree area may be less than 1/5 of the total gross land area required to be set aside for trees;
2. All areas required to be set aside for trees shall be maintained as wooded areas;
3. Wooded areas may consist of either areas where active tree preservation is observed or tree planting areas;
4. Each active tree preservation area must contain a minimum of 2 inches of tree caliper per every 100 square feet and within such areas, active tree preservation shall be followed;
5. Areas that are set aside for trees that do not meet the standards for active tree protection areas must be planted with shade trees; and
6. The minimum size and planting rate of new tree plantings used to fulfill this requirement shall be either 1 bare-root seedling at least 14 inches tall planted per 100 square feet (10 feet by 10 feet centers) or one 2-inch caliper tree planted per 200 square feet.

B. After wooded areas have been determined and prior to or concurrent to any subdividing of the property or issuance of building permit, the landowner shall record with the local County Register of Deeds a plat with metes and bounds descriptions of all wooded areas.

C. For lots located within areas designated "New Urban" by the Swift Creek Land Management Plan, the regulations of Sec. 9.1.9.A. above apply with the exception that only 25% of each lot must contain an area set aside for trees.

D. For lots located within a conservation development, areas set aside for trees may in lieu of being situated on the individual dwelling lots may instead be located within the required open space, provided that the overall acreage set aside for trees is not diminished.

E. The requirements of this section do not apply to lots devoted exclusively to stormwater control measures or to those lots located in those areas of the Comprehensive Plan designated for impervious surfaces in excess of 30%.

A-915

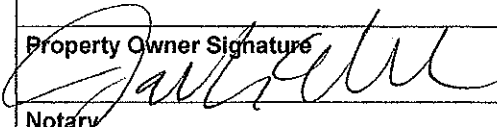
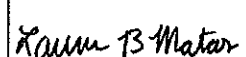


Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Variance Application

OFFICE USE ONLY	
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) Need a variance from the new UDO requirement 9.1.9. (In order to obtain building permit)	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 12312 Bunchgrass Lane	Date 10/1/2015	
Property PIN 1739198215	Current Zoning CUD R-6	
Nearest Intersection Bunchgrass Lane and Dunard Road	Property size (in acres) .39	
Property Owner Fuller-PS, LLC	Phone 704-578-3463	Fax
	Email jelek@jfullerhomes.com	
Project Contact Person Jackie Elek	Phone	Fax
	Email	
Property Owner Signature 	Email	
Notary Sworn and subscribed before me this <u>1st</u> day of <u>October</u> , 20 <u>15</u>	Notary Signature and Seal  <div data-bbox="1088 1596 1526 1764" style="border: 1px solid black; padding: 5px; display: inline-block;">LAUREN B MATAS NOTARY PUBLIC WAKE COUNTY, NC My Commission Expires 8-10-2019</div>	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.

ROSEHILL 3074



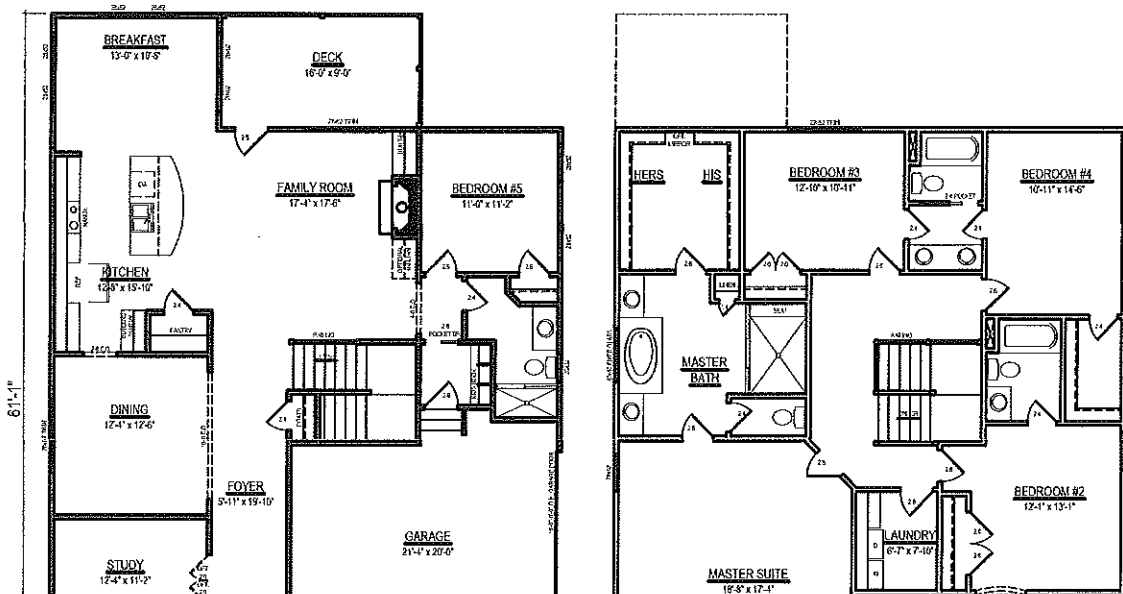
FRONT ELEVATION

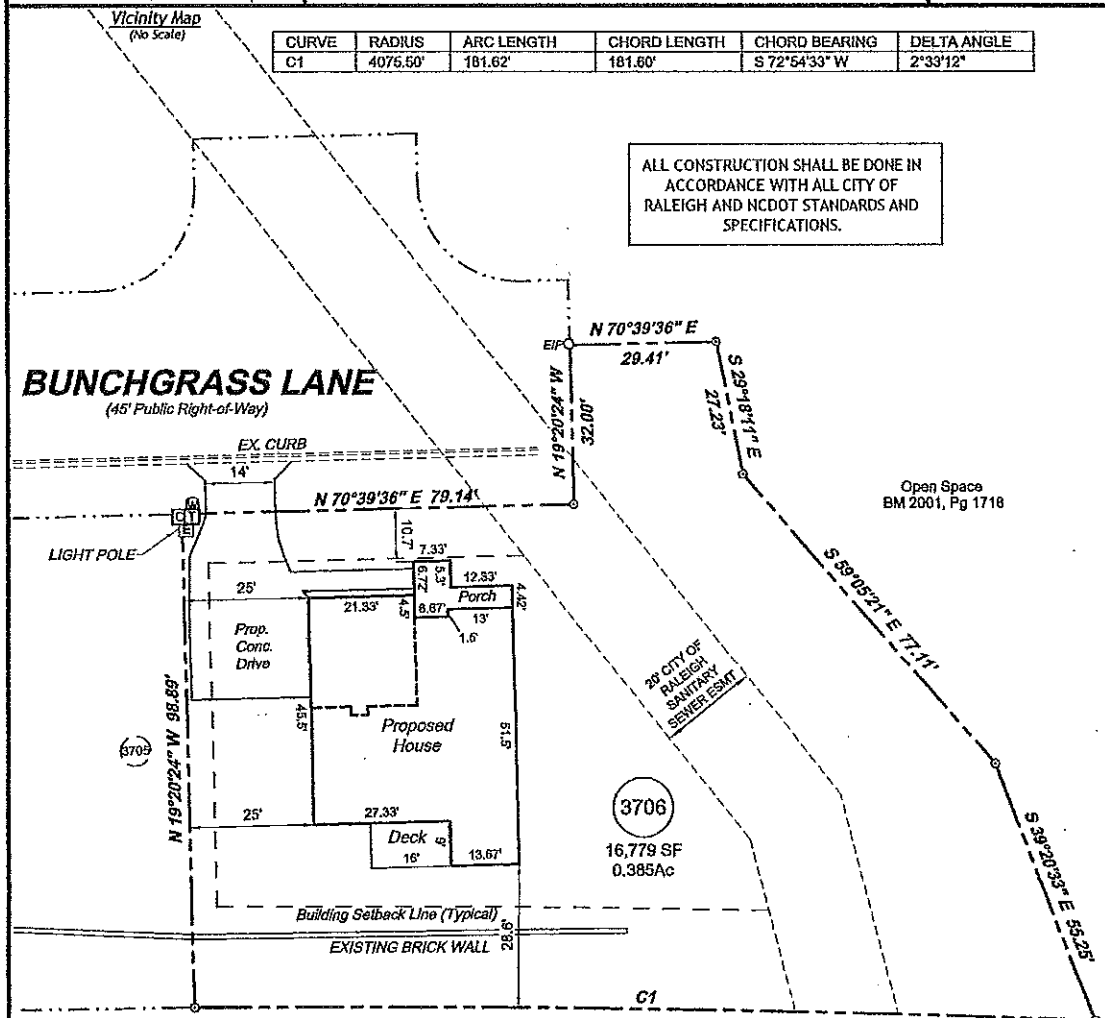
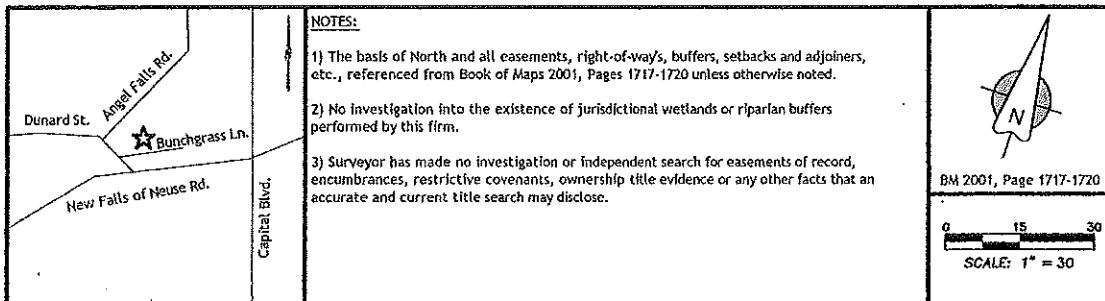
SQUARE FOOTAGE

<u>HEATED SQUARE FOOTAGE</u>		<u>UNHEATED SQUARE FOOTAGE</u>	
FIRST FLOOR=	1456	GARAGE=	466
SECOND FLOOR=	1618	FRONT PORCH=	124
THIRD FLOOR=	N/A	SCREEN PORCH=	N/A
BASEMENT=	N/A	DECK=	144
		STORAGE=	N/A

TOTAL HEATED= 3074

TOTAL UNHEATED= 734





BUILDING SETBACKS:

Front: 20' (reduced to 10' per recorded plat)
 Aggregate front & rear: 40'
 Side yard: 5'
 Aggregate side yard: 15'
 Corner lot side yard: 20'
 Rear yard: 20'

IMPERVIOUS AREAS:

House: 2,199 SF
 Drive & Walk: 900 SF
 Wall: 88 SF
 Total: 3,187 SF

LEGEND:

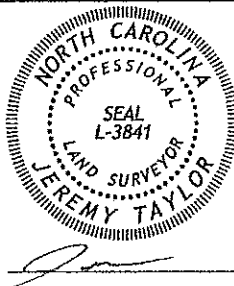
- Ex. property corner
- Set property corner
- Calculated point
- Ⓜ Telephone Box
- ⓐ Cable Box
- ⓔ Electric Box
- Ⓜ Water Meter
- X— Fence
- SS— Sanitary sewer pipe
- SD— Storm drain pipe
- OU— Overhead utility

I, Jeremy Taylor, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed and description recorded in Books referenced); that the boundaries not surveyed are clearly indicated as drawn from information found in Books referenced; that the ratio of precision as calculated exceeds 1:10,000; and that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).

TAYLOR
LAND CONSULTANTS PLLC

5448 Apex Parkway, #165
Apex, NC 27502

License No P-0829
(919) 891-1104



PLOT PLAN

FULLER LAND & DEVELOPMENT

Client:
 Address: 12312 BUNCHGRASS LANE
 PIN: 1739-19-8215
 Subdivision: GLEN STONE at WAKEFIELD PLANT.
 Reference: B.M. 2001, PAGES 1717-1720
 Lot Num: 3706
 Township: WAKE FOREST
 County: WAKE
 Date: AUGUST 31, 2015

A-915



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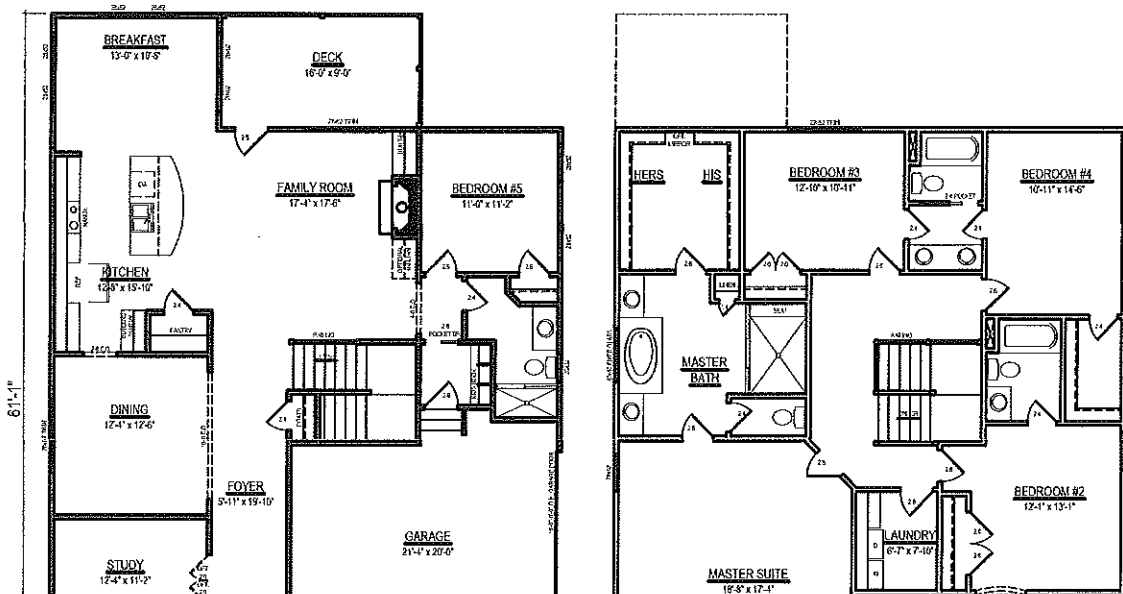
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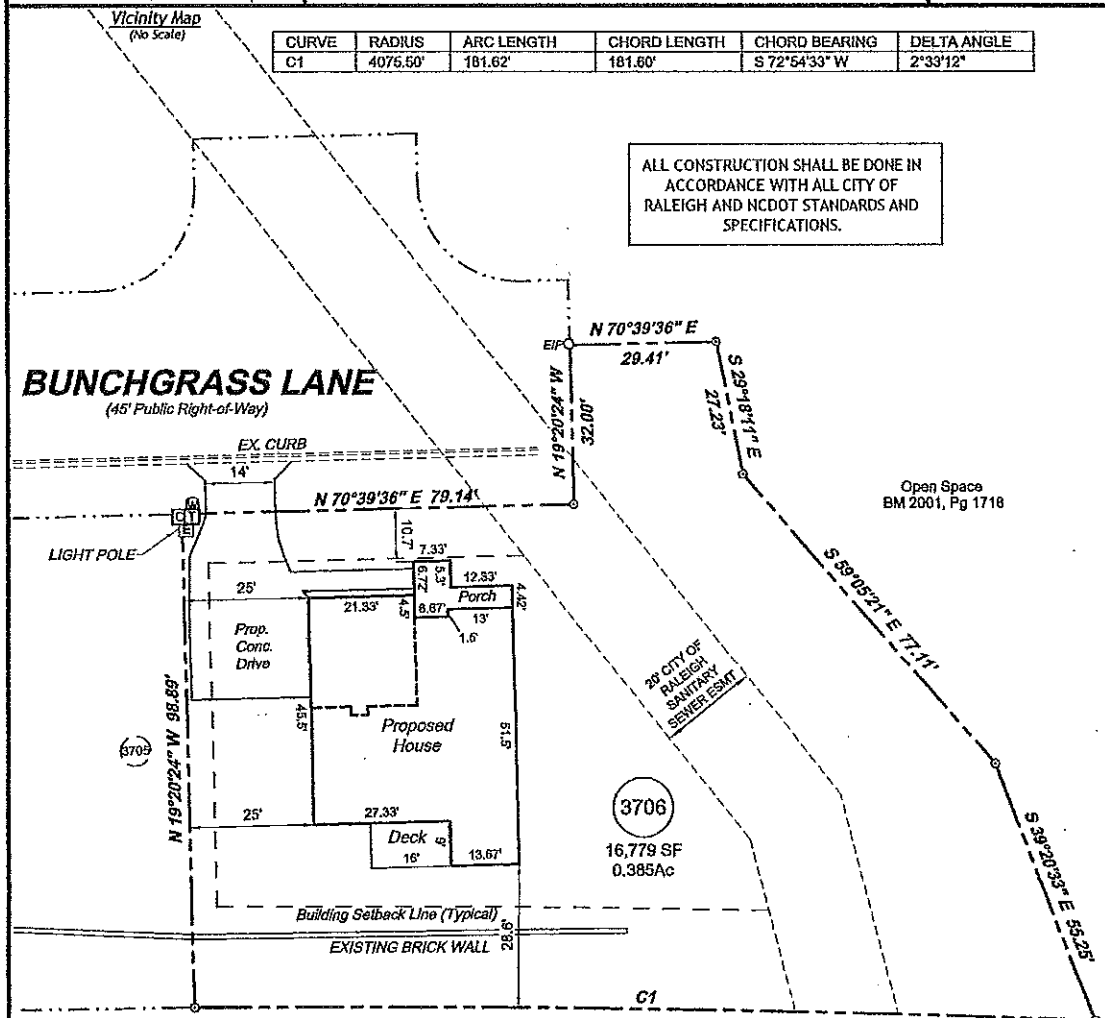
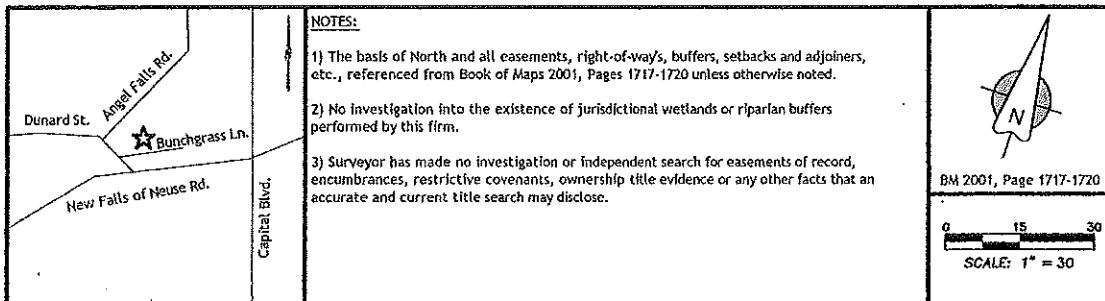
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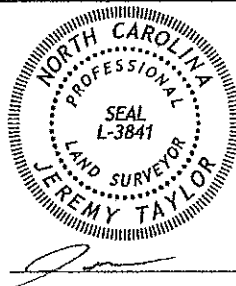
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